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July 10, 2009

VIA ELECTRONIC FILING

Charles L.A. Terreni, Esquire
Chief Clerk/Administrator
South Carolina Public Service Commission
101 Executive Center Dr., Suite 100
Columbia, SC 29210

Re: Proposed Amendments to Commission Regulations Regarding Charter Buses and Limousines
Docket No. 2009-16-T

Dear Mr. Terreni:

On July 8, 2009, the Public Service Commission of South Carolina ("Commission") held a hearing in the above referenced matter to consider proposed amendments to 26 S.C. Code Regs. 103-102 to clarify the definitions of "Charter Bus", "Equipped to Carry", and "Passenger" as those terms are used in the Commission's transportation regulations. During the course of that hearing, a question was presented by Commissioner Hamilton concerning the required use of seatbelts in Limousines and Charter Buses under South Carolina law.

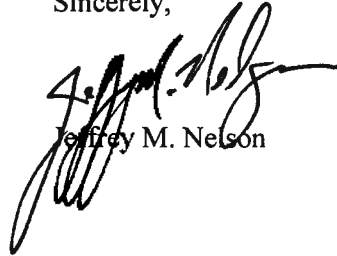
As a general rule, the driver and all occupants of motor vehicles being operated on public streets and highways in South Carolina are required to wear safety belts under S.C. Code Ann. §56-5-6520 (Supp. 2008). However, certain exemptions to this general rule exist under S.C. Code Ann. §56-5-6530 (Supp. 2008) for, among others, occupants of "public transportation" (except taxis) and drivers or occupants "in a vehicle not originally equipped with safety belts."

There is no definition provided in Title 56 for the term "public transportation." There is however, a definition of that term in S.C. Code Ann. §58-25-20(10)(Supp. 2008) which states that "'Public Transportation' means every conveyance of human passengers by bus, van, or any other surface vehicle as required for intrastate service which is provided to the general public or selected groups on a regular and continuing basis including charter service." Based on the above cited definition, it is the opinion of ORS that the exemption for "public transportation" is applicable to charter buses and also may be applicable to limousines certificated by the Commission.

If the changes to Regulation 103-102 are adopted as proposed, ORS intends to attempt to resolve questions concerning seating capacity and the categorization of vehicles as either limousines or charter buses by an initial check of the number of seat belts in such vehicles. If, however, a vehicle does not have passenger compartment seatbelts, or if it appears to ORS inspectors that a vehicle has an insufficient number of seat belts based on the seating capacity listed on the vehicle data plate, the size of the vehicle, or due to indications that seat belts have been removed, then ORS will use the alternate calculation method provided in the regulation.

Thank you for allowing ORS to put forth comments. Please contact me if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey M. Nelson", written over the printed name.

Jeffrey M. Nelson

JMN/clm